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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO / OAKLAND DIVISION

EUNICE LEE, and SUSAN MONTEGNA,  
individually and on behalf of all others  
similarly situated,

Plaintiffs,

v.

ULTA SALON, COSMETICS &  
FRAGRANCE, INC.

Defendant.

Case No. 09-04022 (JSW)

**CLASS ACTION**

**PLAINTIFFS' NOTICE OF MOTION  
FOR ORDER: (1) PROVISIONALLY  
CERTIFYING SETTLEMENT CLASS;  
(2) PRELIMINARILY APPROVING  
CLASS ACTION SETTLEMENT AND  
PLAN OF DISTRIBUTION; (3)  
DIRECTING DISTRIBUTION OF  
NOTICE OF THE SETTLEMENT; AND  
(4) SETTING A SCHEDULE FOR THE  
FINAL SETTLEMENT APPROVAL  
PROCESS.**

Date: September 3, 2010

Time: 9 A.M.

Courtroom: 11

Before: Honorable Jeffrey S. White

Complaint Filed: July 28, 2009

1 TO DEFENDANT ULTA SALON, COSMETICS & FRAGRANCE, INC. AND ITS COUNSEL  
2 OF RECORD:

3 PLEASE TAKE NOTICE THAT on Friday, September 3, 2010 at 9 a.m., in Courtroom 11  
4 of this Court located at 450 Golden Gate Ave., San Francisco, CA 94102, Plaintiff Susan Montegna  
5 will move the court for an order (1) approving certification of a provisional settlement class, (2)  
6 granting preliminary approval of the settlement and plan of distribution, and (3) directing  
7 distribution of class notice, and (4) scheduling a hearing on the final approval of the settlement of  
8 this action.

9 The motion will be based upon this notice, the accompanying memorandum in support, the  
10 accompanying declaration of John T. Mullan, the accompanying Joint Stipulation of Settlement and  
11 Release, and the records and files in this action.

12 DATED: July 26, 2010

Respectfully submitted,

13 RUDY, EXELROD, ZIEFF & LOWE, LLP

14 By: /s John T. Mullan  
15 JOHN T. MULLAN  
16 Attorneys for Plaintiffs  
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